

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA**

1.) Jon Hoopert,

Plaintiff,

V.

2.) Revenue Management Consulting Group,  
LLC d/b/a Pinnacle Asset Management,

Defendant.

Civil Action No.: 15-CV-497-JED-FHM

## COMPLAINT AND DEMAND FOR JURY TRIAL

For this Complaint, Plaintiff, Jon Hoopert, by undersigned counsel, states as follows:

## JURISDICTION

1. This action arises out of Defendant’s repeated violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (the “FDCPA”).

2. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b), in that Defendant transacts business in this District and a substantial portion of the acts giving rise to this action occurred in this District.

## PARTIES

3. Plaintiff, Jon Hoopert (“Plaintiff”), is an adult individual residing in Broken Arrow, Oklahoma, and is a “consumer” as the term is defined by 15 U.S.C. § 1692a(3).

4. Defendant Revenue Management Consulting Group, LLC d/b/a Pinnacle Asset Manageme (“RMCG”), is a California business entity with an address of 2271 Lava Ridge Court, Suite 200, Roseville, California 95661, operating as a collection agency, and is a “debt collector” as the term is defined by 15 U.S.C. § 1692a(6).

**ALLEGATIONS APPLICABLE TO ALL COUNTS**

**A. The Debt**

5. Plaintiff allegedly incurred a financial obligation (the “Debt”) to an original creditor (the “Creditor”).

6. The Debt arose from services provided by the Creditor which were primarily for family, personal or household purpose, which meets the definition of a “debt” under 15 U.S.C. § 1692a(5).

7. The Debt was purchased, assigned or transferred to RMCG for collection, or RMCG was employed by the Creditor to collect the Debt.

8. Defendant attempted to collect the Debt and, as such, engaged in “communications” as defined in 15 U.S.C. § 1692a(2).

**B. RMCG Engages in Harassment and Abusive Tactics**

9. In or around April 2015, RMCG called Plaintiff’s place of employment and spoke with a secretary. RMCG gave the secretary a case number and told her that Plaintiff needed to call RMCG regarding a bank fraud.

10. When Plaintiff returned the call to RMCG, the collector said that Plaintiff owed \$120.00, but that if it wasn’t paid RMCG would have to settle the matter in court which would result in Plaintiff owing \$1,100.00.

**C. Plaintiff Suffered Actual Damages**

11. Plaintiff has suffered and continues to suffer actual damages as a result of Defendant’s unlawful conduct.

12. As a direct consequence of Defendant's acts, practices and conduct, Plaintiff suffered and continues to suffer from humiliation, anger, anxiety, emotional distress, fear, frustration and embarrassment.

**COUNT I**  
**VIOLATIONS OF THE FDCPA**  
**15 U.S.C. § 1692, et seq.**

13. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

14. Defendant's conduct violated 15 U.S.C. § 1692c(b) in that Defendant communicated with a third party regarding the Debt.

15. Defendant's conduct violated 15 U.S.C. § 1692d in that Defendant engaged in behavior the natural consequence of which was to harass, oppress, or abuse Plaintiff in connection with collection of the Debt.

16. Defendant's conduct violated 15 U.S.C. § 1692e in that Defendant used false, deceptive and/or misleading representations or means in connection with collection of the Debt.

17. Defendant's conduct violated 15 U.S.C. § 1692e(5) in that Defendant threatened to take legal action, without actually intending to do so.

18. Defendant's conduct violated 15 U.S.C. § 1692e(10) in that Defendant employed false and deceptive means to collect the Debt.

19. Defendant's conduct violated 15 U.S.C. § 1692f in that Defendant used unfair and unconscionable means to collect the Debt.

20. The foregoing acts and omissions of Defendant constitute numerous and multiple violations of the FDCPA.

21. Plaintiff is entitled to damages as a result of Defendant's violations.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff prays that judgment be entered against Defendant:

1. Actual damages pursuant to 15 U.S.C. § 1692k(a)(1);
2. Statutory damages of \$1,000.00 pursuant to 15 U.S.C. §1692k(a)(2)(A);
3. Costs of litigation and reasonable attorney's fees pursuant to 15 U.S.C. § 1692k(a)(3);
4. Punitive damages; and
5. Such other and further relief as may be just and proper.

Dated: August 26, 2015

Respectfully submitted,

By /s/ Sergei Lemberg

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